

PATENT COOPERATION TREATY



PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

REC'D 25 MAR 2004

WIPO PCT

Applicant's or agent's file reference Hi-bu 031607wo		FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA/416)	
International application No. PCT/US 03/00057	International filing date (day/month/year) 03.01.2003	Priority date (day/month/year) 16.01.2002	
International Patent Classification (IPC) or both national classification and IPC B65H37/04			
Applicant 3M INNOVATIVE PROPERTIES COMPANY et al.			
<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 6 sheets, including this cover sheet.</p> <p><input checked="" type="checkbox"/> This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of 2 sheets.</p> <p style="text-align: right;">EPO - DG 1</p>			
<p>3. This report contains indications relating to the following items:</p> <p>I <input checked="" type="checkbox"/> Basis of the opinion</p> <p>II <input type="checkbox"/> Priority</p> <p>III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p>IV <input type="checkbox"/> Lack of unity of invention</p> <p>V <input checked="" type="checkbox"/> Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p>VI <input type="checkbox"/> Certain documents cited</p> <p>VII <input type="checkbox"/> Certain defects in the international application</p> <p>VIII <input type="checkbox"/> Certain observations on the international application</p>		<p>24. 05. 2004</p> <p style="text-align: center;">(36)</p>	
Date of submission of the demand 01.08.2003		Date of completion of this report 24.03.2004	
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465		Authorized Officer Uhlig, R Telephone No. +49 89 2399-7083 	

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/US 03/00057

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, Pages

1-13 as originally filed

Claims, Numbers

1-7 received on 05.02.2004 with letter of 04.02.2004

Drawings, Sheets

1/2-2/2 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

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5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-7
	No: Claims	
Inventive step (IS)	Yes: Claims	1-7
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-7
	No: Claims	

2. Citations and explanations

see separate sheet

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1. References

1.1 Reference is made to the following documents cited in the international search report:

D1: EP-A-1211136

D2: US-A-1901908

1.2 Document D1 represents prior art according to Rule 64.3 PCT and consequently is not considered part of the prior art for the purpose of assessing novelty and inventive step in the framework of the Patent Cooperation Treaty (PCT).

D1 was published on 05.06.2002, filed on 26.11.2001, claiming priority of 30.11.2000 (Rule 70.10 PCT).

RE Item V

2. Independent claim 1

2.1 Based on the available relevant prior art (see equally paragraph 1.2), the subject-matter of claim 1 appears to be new and inventive according to Articles 33 (1) and 33 (3) PCT.

2.2 In terms of claim 1, D2 can be said to disclose (the references between inclined lines applying to this document)

an adhesive ~~tape~~ attaching jig (50) ~~which is an attaching jig for continuous attachment of adhesive tape (40, 41, 42) in a manner conforming to the shape and /or size of a long object (45) /p. 1, li. 1-10/, said attaching jig (50) comprising the combination of a tape holder (11, 12)~~

~~which is able to receives and holds said adhesive tape (40, 41, 42) in said attaching jig (50) /Fig. 2, refs. 24, 25, 26/;~~

a tape attacher (9)

~~which is able to contact bonds the adhesive tape (41) that has been guided from said tape holder (11, 12) onto the tape attachment surface of the object (45) /Fig. 2, ref. 37/; and~~

a jig guide member (6, 7)

~~which is able to continuously guides said attaching jig (50) along the object (45) /Fig. 2, ref. 53, 53a/, wherein said jig is characterized by~~

said tape holder (11, 12) comprising

~~an adjustable mechanism (23, 11, 26, 24) for matching the width of the adhesive tape (40, 41, 42) or object (45) /Fig. 2, ref. 24b, 28/, and~~

said jig guide member (6, 7) comprising

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an adjustable mechanism (32) for adjusting the space between said jig guide member (6, 7) and said tape attacher (9) /Fig. 1, refs. 65, 66/.

Legend (paragraph 2.2, 2.3):

underline = amendment / insertion done by examiner

strikeout = amendment / deletion done by examiner

**2.3 The subject-matter of claim 1 differs in that
said tape attacher (9) comprises**

**an adjustable mechanism (23, 24, 26, 11) for matching the width of the
adhesive tape (40, 41, 42) or object (45).**

**2.4 The technical effect of this distinguishing feature is that the tape is properly guided
at the moment of application.**

**2.5 The objective problem to be solved by this distinguishing feature may therefore be
regarded as to attach the tape more precisely.**

**2.6 None of the available relevant prior art documents appears to disclose the in 2.3
mentioned feature.**

**2.7 Consequently claim 1 fulfills the requirements according to Articles 33 (1), 33 (2) and
33 (3) PCT, as the solution of the present problem provided by claim 1 is not obvious.**

3. Dependent claims 2 to 7

**The dependent claims are regarded - from a formalistic point of view - as being new
and inventive, as they refer directly or indirectly to the independent claim 1 which is
considered to be new and inventive.**

4. Formal/Further objections

**4.1 Although claim 1 is drafted in the two-part form, some characterising features are
incorrectly placed in the characterising portion, as they are disclosed in document D2
in combination with the features placed in the preamble (Rule 6.3(b) PCT).**

**5.2 The features of the claims are not consistently provided with reference signs placed
in parentheses (Rule 6.2(b) PCT).**

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- 5.3 The closest prior art document is not identified in the description and its relevant content is not indicated as required by Rule 5.1(a)(ii) PCT.